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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,770	10/07/2003	Jason D. Kridner	TI-34325	5854

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EXAMINER

PENDLETON, BRIAN T

ART UNIT	PAPER NUMBER
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2615

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/680,770

Applicant(s)

KRIDNER, JASON D.

Examiner

Brian T. Pendleton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/7/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-11 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenney, US Patent 3,590,382 in view of Chang, US Patent 6,337,913. Kenney discloses a wireless audio system comprising an audio source 11, signal generating unit 12 having a modulation component 31L, 31R, and power supply 25. Kenney does not disclose that the power supply is responsive to the audio signal for generating a voltage. Chang discloses a wireless transmitter/receiver system comprising a power supply and level control power standby module 9. As disclosed in column 2 lines 42-65 and column 3 lines 36-56, level control power standby module 9 is used to control the RF driver 14 in response to the presence of the audio signals L, R. Therefore, the power to the modulation components is responsive to an audio signal. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kenney to have the level control power standby module 9, as taught by Chang for the purpose of conserving power when the audio source 11 is not present. Claims 1 and 3 are rejected.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kenney in view of Chang as applied to claim 1 above, and further in view of Lovoi, US Patent 6,480,699. The combination of Kenney and Chang does not disclose that the power supply includes a rectifying component and a filtering component. Lovoi discloses a device for transmitting a wireless signal

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comprising a power supply 220 having a rectifier and filtering component in figure 3. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Kenney and by substituting power supply 25 with the power supply 220 of Lovoi for the purpose of generating power with an alternate known power supply source.

Allowable Subject Matter

Claims 4-11 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 4 and 11 recite a wireless receiving unit that is powered by a microphone pickup voltage. That limitation is not disclosed nor suggested in the prior art of record. Furthermore, independent claim 9 has the feature of a wireless transmission unit which is powered by the audio signal, which is not taught nor proposed in the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cohen, US Patent 7,120,403; Tanaka, US Patent 6,954,536; Koga et al, US Patent 5,970,390; Lee, US Patent 7,107,074; James, US Patent 6,671,494; Bailey, US Patent Application Publication 2003/0045326.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian T. Pendleton whose telephone number is (571) 272-7527. The examiner can normally be reached on M-F 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian T. Pendleton
Primary Examiner
Art Unit 2615



btp